

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA,) No. CR 11- 0247 WHA
14 Plaintiff,)
15 v.)
16 DANIEL QUINCY BUIE,)
a/k/a Christ Jesus Bisset,)
17 Defendant.)
18 _____)
STIPULATION AND [PROPOSED]
ORDER EXCLUDING TIME FROM
JUNE 7, 2011 THROUGH JUNE 28, 2011
FROM CALCULATIONS UNDER THE
SPEEDY TRIAL ACT (18 U.S.C. § 3161)

19 The parties appeared on June 7, 2011 before this Court. Gregg W. Lowder, Assistant
20 United States Attorney, appeared for the United States. Ronald Tyler, Assistant Federal Public
21 Defender, appeared for the defendant, who appeared personally and in custody.

22 At the request of the defendant personally and his attorney, the Court continued the case
23 to June 28, 2011 at 2:00 p.m. for trial setting or change of plea in District Court and excluded
24 time from June 7 through June 28, 2011 from time calculations under the Speedy Trial Act, 18
25 U.S.C. § 3161. The exclusion of time is based upon the request of the parties in light of the need
26 to permit the defense attorney reasonable time for the effective preparation of a defense in the
27 case.

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**ORDER: EXCL OF TIME
US v. Buie, CR 11-00247 WHA**

1 The Court enters this order supplementing its oral order at the hearing of June 7, 2011,
2 that excluded time from calculations under the Speedy Trial Act, 18 U.S.C. § 3161 from June 7
3 through June 28, 2011. The parties, including the defendant, agree to those findings and that
4 order. The Court further finds and orders as follows:

5 1. The defendant understands and requests the exclusion of time from calculations under
6 the Speedy Trial Act, 18 U.S.C. § 3161, from June 7 through June 28, 2011, based on the
7 need of defense counsel for a reasonable period of time to allow effective preparation of a
8 defense, taking into account the exercise of due diligence, since the defense had recently
9 conducted an evidence view with government counsel and additional time was needed for
10 preparation of a defense based on that view; and some additional discovery was also
11 provided to the defense based on further investigation conducted shortly before the
12 hearing by the government;

13 2. Defense counsel Ronald Tyler and government counsel join in the request to exclude
14 time from June 7 through June 28, 2011, from calculations under the Speedy Trial Act for
15 the above reasons and agree that the exclusion of time is necessary for the defense
16 counsel to have a reasonable amount of time to effectively prepare a defense, taking into
17 the account the exercise of due diligence.

18 Given these circumstances, the Court finds that the ends of justice served by excluding
19 from time calculations the period of June 7 through June 28, 2011, outweigh the best interests of
20 the public and the defendant in a speedy trial under the Speedy Trial Act, 18 U.S.C. § 3161, and
21 finds good cause for the reasons listed above and the reasons stated at the hearing to exclude that
22 time period. Accordingly, the Court (1) sets an appearance date in District Court for June 28,
23 2011 at 2:00 p.m. and (2) orders that the time from June 7 through June 28, 2011

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1 be excluded from time calculations under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A) and
2 (B)(iv).

3 **SO STIPULATED:**

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5 DATED: June 29, 2011

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7 DATED: June 29, 2011

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9 **IT IS SO ORDERED.**

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11 DATED: June 30, 2011.

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RONALD TYLER
Attorney for Defendant

GREGG W. LOWDER
Assistant United States Attorney


WILLIAM ALSUP
United States District Judge